

**STATE OF IDAHO
OUTFITTERS AND GUIDES LICENSING BOARD
SPECIAL CONFERENCE CALL
BOARD MEETING**

FINAL MINUTES

FEBRUARY 18, 2020

**(KEY: MSC = MOTION: MADE, SECOND: CARRIED
MSF = MOTION: MADE, SECOND: FAILED)**

THE SPECIAL MEETING OF THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD WAS CALLED TO ORDER AT 11:00 A.M. ON FEBRUARY 18, 2020 IN THE MEETING ROOM AT THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD OFFICE, 1365 N. ORCHARD STREET, ROOM 172, BOISE, IDAHO. BOARD MEMBERS BOB BAROWSKY (CHAIRMAN), LOUISE STARK, AND ZACH MASON PARTICIPATED BY CONFERENCE CALL. ALSO PARTICIPATING BY CONFERENCE CALL WAS BOARD ATTORNEY ROGER HALES. PRESENT IN THE OFFICE WAS BOARD MEMBER WAYNE HUNSUCKER, EXECUTIVE DIRECTOR LORI THOMASON, OFFICE SUPERVISOR AMANDA HARPER, BOARD ATTORNEY JOAN CALLAHAN, AND EDUCATION AND ENFORCEMENT CHIEF RANDY WADLEY. BOARD MEMBER GEORGE MCQUISTON WAS NOT IN ATTENDANCE.

ROLL CALL – A roll call was taken.

TO DISCUSS THE CONDITIONAL ADOPTION OF TEMPORARY RULES – Board Attorney Joan Callahan explained that the Board, along with all other State agencies, has been requested by the Governor's office to take preliminary steps in the event the Legislature were to not codify the rules that were brought through the reauthorization process. It has been asked that State agencies do a conditional adoption of temporary rules so that they are ready to go into effect the day after the Legislature leaves. MSC (MOTION: MASON, SECOND: HUNSUCKER; AYES – HUNSUCKER, STARK, MASON AND BAROWSKY; NAYES – NONE) PURSUANT TO SECTION 67-5226, IDAHO CODE, THE GOVERNOR HAS FOUND THAT TEMPORARY ADOPTION OF THIS RULE APPROPRIATE TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE CITIZENS OF IDAHO AND CONFER A BENEFIT ON ITS CITIZENS. THESE RULES IMPLEMENT THE DUTY ENACTED LAWS OF THE STATE OF IDAHO, PROVIDE CITIZENS WITH THE DETAILED RULES AND STANDARDS FOR COMPLYING WITH THOSE LAWS, AND ASSIST IN THE ORDERLY EXECUTION AND ENFORCEMENT OF THOSE LAWS. THE EXPIRATION OF THESE RULES WITHOUT DUE CONSIDERATION AND PROCESSES WOULD UNDERMINE THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF IDAHO AND DEPRIVE THEM OF THE BENEFIT INTENDED BY THESE RULES. THE GOVERNOR HAS ALSO FOUND THAT THE FEES OR CHARGES BEING IMPOSED OR INCREASED ARE JUSTIFIED AND NECESSARY TO AVOID IMMEDIATE DANGER TO THE BOARD'S BUDGET, TO THE STATE BUDGET, TO NECESSARY STATE FUNCTIONS AND SERVICES, AND TO AVOID IMMEDIATE DANGER OF A POTENTIAL VIOLATION OF IDAHO'S CONSTITUTIONAL REQUIREMENT THAT IT BALANCE ITS BUDGET. THEREFORE, WE ARE ADOPTING THIS TEMPORARY RULE TO BE EFFECTIVE UPON SINE DIE OF THE 2020 SESSION OF THE IDAHO LEGISLATURE. THE APPROVAL IS CONDITIONAL AND WILL ONLY BECOME EFFECTIVE IF THE RULES ARE NOT OTHERWISE APPROVED OR REJECTED BY THE LEGISLATURE AND/OR NOT EXTENDED PURSUANT TO THE IDAHO ADMINISTRATIVE PROCEDURE ACT, INCLUDING SECTIONS 67-5291 AND 67-5292, IDAHO CODE.

LEGISLATIVE UPDATE – Board Attorney Joan Callahan updated the Board on the backup plan legislation, HB328, that was in place for allocated tags in controlled hunts in the event a consensus was not reached on the IOGA's legislation. It will likely not have any further actions due to a consensus being reached on the IOGA's legislation, moving it forward with the Legislature. She said the Board's legislative proposal that was brought this year to streamline the fee and remove specific fees amounts out of statute and put into rule was not printed by the House Resources Committee. Representative Moyle, the House Majority Leader, had strong feelings that Boards should not be putting their fee amounts in rules, and the way our Board's statute reads, is how the fees should be done with amounts being in the statute. She said there is an agenda item set for the March 2020 Board meeting to discuss how to move forward in a larger sense with fees. She stated that at this time the IOGA's consensus legislation on allocated tags has been approved by the House Resources Committee. She informed the Board that the Idaho Fish and Game Commission voted to support it. This piece of legislation is still moving forward and is, concurrently with this Board meeting, on the House floor for a full vote by the House. She pointed out that if it is approved on the House side then it will move forward to the Senate side for a hearing and vote prior to going to the Governor's office.

With no further business to come before the Board, Board Chairman Bob Barowsky adjourned the meeting at 11:18 a.m., Tuesday, February 18, 2020.

Bob Barowsky

March 25, 2020

BOB BAROWSKY, BOARD CHAIRMAN

Date

ATTEST:


LORI THOMASON, EXECUTIVE DIRECTOR

March 23, 2020
Date